

The Department of Community Planning & Development
City Hall, Lynchburg, VA 24504 434-455-3900

To: Planning Commission

From: Planning Division

Date: December 1, 2004

Re: **CONDITIONAL USE PERMIT (CUP): Lynchburg College Student Housing, 201 Bell Street, 224, 350 Vernon Street, 1123 McCausland Street, 121 Thomas Road, 310, 416, 432 Lakewood Street & 333 College Street**

I. PETITIONER

Lynchburg College, 1501 Lakeside Drive, Lynchburg, VA 24501

Representative: Mr. John Lewis, Business Manager, Lynchburg College, 1501 Lakeside Drive, Lynchburg, VA 24501

II. LOCATION

The subject properties range in size from .14 to .43 acre and are located at 201 Bell Street, 224, 350 Vernon Street, 1123 McCausland Street, 121 Thomas Road, 310, 416, 432 Lakewood Street & 333 College Street

Property Owner: Lynchburg College, 1501 Lakeside Drive, Lynchburg, VA 24501

III. PURPOSE

The purpose of this petition is to allow the conversion of existing dwellings into college supervised student housing for four (4) to eight (8) students.

IV. SUMMARY

- Petition agrees with the *Comprehensive Plan*, which recommends a Low Density Residential use for the subject property.
- Petition agrees with the Zoning Ordinance in that colleges and associated uses are permitted in residential districts upon approval of a Conditional Use Permit by the Planning Commission and the City Council.
- Petition proposes the conversion of nine (9) existing dwellings into supervised student housing for four (4) to eight (8) students.

The Planning Division recommends approval of the conditional use permit petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The Lynchburg *Comprehensive Plan 2002 – 2020* recommends a Low Density Residential use for the area. These areas are dominated by single-family homes at densities of four (4) dwelling units per acre. Institutional uses that are compatible in scale with residential homes are compatible in these areas. **(pg 5.5)**

Throughout the public forums held for the preparation of the Comprehensive Plan, citizens emphasized the value they place on education. Quality educational opportunities must be provided for youth at the secondary school level and college level and for adults as part of continuing education. The City places high value on its colleges and will continue to support their presence within the City and to work with them in coordinating City planning with campus master planning. **(pg 11.8)**

2. **Zoning.** The subject property was annexed into the City in 1926. The existing R-2, Low-Medium Density Residential zoning was put in place in 1978 with the adoption of the current Zoning Ordinance.
3. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances will be needed for the conversion of the existing dwellings to student housing...
4. **Surrounding Area.** There have been several items requiring City Council approval in the immediate area:
 - On October 28, 1980, Lynchburg City Council approved Lester Heyer's CUP petition for a Family Amusement Center off of Lakeside Drive.
 - On September 25, 1984, Lynchburg City Council approved Lynchburg College's CUP petition for the development of an alumni house off of Lakeside Drive.
 - On August 13, 1985, Lynchburg City Council approved Lynchburg College's CUP petition for the conversion of an existing residence hall to offices and construction of new classrooms/parking at College Street.
 - On July 12, 1988, Lynchburg City Council approved Lynchburg College's CUP petition for the construction of office space at 185 Vernon Street and 500 Westwood Avenue.
 - On August 9, 1988, Lynchburg City Council approved Lynchburg College's CUP petition for the construction of a dormitory and office at 349 College Street.
 - On February 14, 1989, Lynchburg City Council approved Lynchburg College's CUP petition for the development of faculty offices at 505 Brevard Street.
 - On August 1, 1989, Lynchburg City Council approved Lynchburg College's CUP petition for the development of college offices and student housing on College, McCausland and Brevard Streets.
 - On April 9, 1991, Lynchburg City Council approved Gethsemane Baptist Church's CUP petition for the construction of new parking and the expansion of both the existing parking and the sanctuary at 408 and 411 Blue Ridge Street.
 - On January 12, 1993, Lynchburg City Council approved Lynchburg College's CUP petition for the amendment of the existing master plan for the construction of the School of Business at the 300 Block of College Street.
 - On December 12, 1995, Lynchburg City Council approved Lynchburg College's CUP petition for the amendment of the existing master plan to allow conversion of an existing residence for supervised student housing at 511 Brevard Street.
 - On May 13, 1997, Lynchburg City Council approved Gethsemane Baptist Church's CUP petition for the establishment of a play area and operation of a child care center for up to 49 children at 407 and 411 Blue Ridge Street.
 - On May 12, 1998, Lynchburg City Council approved Lynchburg College's CUP petition for the development of special interest student housing at 512 Brevard Street.
 - On June 9, 1998, Lynchburg City Council approved Lynchburg College's CUP petition for the amendment of the existing master plan for the construction of a gym and physical plant storage building at 1501 Lakeside Drive.

- On August 11, 1998, Lynchburg City Council approved Lynchburg College's CUP petition for the use of an existing residence for student housing at 215 Vernon Street.
 - On July 13, 1999 Lynchburg City Council approved Lynchburg College's CUP petition for the development of a college office and student housing at 341 College Street, 504 Brevard Street and 245 Vernon Street.
 - On March 14, 2000, Lynchburg City Council approved Lynchburg College's CUP petition to amend its master development plan for construction of student townhomes on campus at 1501 Lakeside Drive.
 - On June 13, 2000, Lynchburg City Council approved Lynchburg Christian Academy's CUP petition for the temporary use of modular classrooms at 624 Thomas Road.
 - On June 12, 2001, Lynchburg City Council approved Lynchburg College's CUP petition for the development of student housing at 511 Brevard Street, 312,420, and 425 Lakewood Street, and 504 Westwood Avenue.
 - On June 8, 2004 Lynchburg City Council approved Lynchburg College's CUP petition for the conversion of existing residents to student housing at 191, 225, 235, 246, 302, 310, 311, 331, 348 Vernon Street and 316 and 426 Lakewood Street.
 - On October 12, 2004, Lynchburg City Council approved Lynchburg College's CUP petition for the construction of student housing and associated parking areas at 1501 Lakeside Drive.
5. **Site Description.** The subject property is bounded to the east and west by residential uses and to the north and south by a combination of residential, commercial and institutional uses.
 6. **Proposed Use of Property.** The purpose of the rezoning is to allow construction of a 59-unit townhome complex.
 7. **Traffic and Parking.** The City's Traffic Engineer's only comment of concern was that off-street parking be provided for the proposed student housing. The submitted site plans indicate that parking will be provided in gravel lots behind the residences or in existing parking lots owned and operated by Lynchburg College.
 8. **Storm Water Management.** New impervious areas associated with the conversion of the existing dwellings to student housing will be minimal. An agreement in lieu of plan will be used to address stormwater and erosion and sediment control issues.
 9. **Impact.** Lynchburg College was founded on April 17, 1903, and is one of the oldest coeducational colleges in Virginia. The College is currently working on its strategic plan for the next ten (10) years. The plans call for a modest growth to two thousand five hundred (2,500) students up from the two thousand two hundred and forty-eight (2,248) students in the fall of 2004.

The college currently has student housing for one thousand five hundred and seventy-two (1,572) students. The college received approval from the City Council on October 12, 2004 to construct an additional apartment building for one hundred and four (104) students with associated parking areas. The current proposal is to convert existing dwellings into student housing for an additional forty (40) students.

The College currently requires that "traditional" aged students live in College-owned housing until their senior year. During the senior year a student may live off campus, however it must be in an area zoned R-4 or R-5. These requirements instituted by the College have eliminated the

ability of the students to rent single-family dwellings not under the ownership of the College. This has greatly reduced the usual area of concern of the potential for students to generate noise or cause other disruptive activities.

The College has obtained CUP's for other student housing identical to these requests in the past. The College's presence and accountability for their students has been a benefit to the community. The proposed uses are considered to be compatible with the institutional and residential character of the neighborhood.

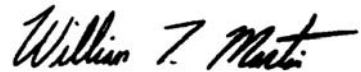
10. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the preliminary site plan on November 2, 2004. Comments related to the petition were minor in nature and have or will be addressed prior to final site plan approval.
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VI. PLANNING DIVISION RECOMMENDED MOTION

Based on the preceding Findings of Fact, the Planning commission recommends to City Council approval of the petition of Lynchburg College to allow student housing for four (4) to eight (8) students at 201 Bell Street, 224, 350 Vernon Street, 1123 McCausland Street, 121 Thomas Road, 310, 416, 432 Lakewood Street & 333 College Street in an R-2, Low-Medium Density Residential District subject to the following conditions:

1. **The properties shall be used in substantial compliance with the individual site plans for student housing:**
 - 201 Bell Street – four (4) students
 - 224 Vernon Street – four (4) students
 - 350 Vernon Street – eight (8) students
 - 1123 McCausland Street – seven (7) students
 - 121 Thomas Road – seven (7) students
 - 310 Lakewood Street – seven (7) students
 - 416 Lakewood Street – five (5) students
 - 432 Lakewood Street – four (4) students
 - 333 College Street – eight (8) students
2. **Any exterior lighting shall be glare shielded to prevent direct illumination beyond the property line.**
3. **All residences shall comply with the building code as determined by the Building Official.**
4. **All parking associated with the student housing will be in “off street” lots.**

This matter is respectfully offered for your consideration.

A handwritten signature in black ink, reading "William T. Martin". The signature is written in a cursive, flowing style.

William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney
Ms. Rachel O. Flynn, Director of Community Planning & Development
Mr. Bruce A. McNabb, Director of Public Works
Mr. R. Douglas Dejarnette, Fire Marshal
Mr. J. Lee Newland, Director of Engineering
Mr. Gerry L. Harter, Traffic Engineer
Mr. Robert Drane, Building Commissioner
Ms. Judith C. Wiegand, Senior Planner
Mr. Arthur L. Tolley, Zoning Official
Mr. Robert S. Fowler, Zoning Official
Mr. Kent White, Environmental Planner
Mr. John Lewis, Representative

VII. ATTACHMENTS

- 1. Vicinity Zoning Pattern**
(see attached map)
- 2. Vicinity Proposed Land Use**
(see attached map)
- 3. Site Plans**
(see attached site plans)
- 4. Narrative**
(see attached narrative)